

**Zoning Code Figure A – Greater Riverside Chamber
of Commerce Zoning Code Task Force
Recommendations**

ZONING CODE TASK FORCE MEETING JANUARY 10, 2005

CHAMBER OF COMMERCE

The Task Force recommended that the following changes be incorporated into the Zoning Code. Bolded are staff's responses to some of their comments:

General Comments:

1. Spell check the entire document.

Article III: Nonconforming Provisions

2. The Task Force does not support the provision for reconstruction of nonconforming structures within 90 days. The Task Force felt it needed to go back to 180 days, which is what the Code allows now.
Staff's Response: The Planning Department staff will discuss this recommendation with Code Compliance and City Attorney's Office staff.

Article V: Base Zones and Related Use and Development Provisions

3. The density permitted in Mixed Use projects should be higher than 40 du/ac.
Staff's Response: Higher residential densities are permissible for projects in the MU-V and MU-U Zones that have the potential to serve as transit oriented developments. Proposed projects within one-half of a mile of: (1) a transit stop along Magnolia or University Avenues or (2) any transit station may have a residential density of up to 40 dwelling units per acre in the MU-V with a maximum total permissible FAR of 2.5 and up to 60 dwelling units per acre in the MU-U Zone with a maximum total permissible FAR of 4.0. This provision is permissible, not mandatory, and subject to discretion as part of the Site Plan Review.
4. A homeless shelter was recently approved in an Industrial Zone.
Staff's Response: The homeless shelter that was recently approved is in the M -2 Zone. The new Industrial (I) Zone of the Zoning Code will continue to allow homeless shelters with a Conditional Use Permit. However, they will not be allowed in the BMP - Business and Manufacturing Park Zone.
5. The Permitted Uses Table should also specify when a land use is prohibited in a Specific Plan.
Staff's Response: It would not be practical to add uses prohibited in the Specific Plans to the Zoning Code table. As a matter of information, over time the Specific Plans should be amended to have tables similar to this one for ease of use.

Article VI: Overlay Zones

6. Section 19.190.020.A.2 of the Commercial Storage Overlay Zone does not permit the outdoor storage of vehicles other than recreational vehicles. The Task Force recommends that the definition of Recreation Vehicles be changed to include boats, race cars, and the like.

Staff's Response: Staff will add the following language to the definition, "RV includes but is not limited to boats, water craft, race cars, trailers used in their transportation"

7. Section 19.190.020.K of the Commercial Storage Overlay Zone limits noise to 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday, Sunday and Federal holidays. The Task Force recommends that the hours of operation be extended on weekends and Federal holidays.

Staff's Response: The hours of operation are consistent with the City's Noise Ordinance (Title 7).

8. Revise the "Use Regulations Table" for the Neighborhood Commercial Overlay Zone to permit store front churches. Limitations need to be placed on the hours of operation and activities associated with a store front church to avoid incompatibilities with other uses.

Staff's Response: The Neighborhood Commercial Overlay Zone is intended for neighborhood service commercial uses, e.g., cleaners, stationary store, florist shop, sit-down restaurant, pharmacy, and the like. A storefront church may be expected to draw traffic from outside the neighborhood and does not provide the type of use or atmosphere intended to be promoted by this Zone. Staff cannot support this recommendation.

9. The "Use Regulations Table" for the Neighborhood Overlay Zone prohibits the establishment of "Publishing & Printing" and permits "Business Support Services and Facilities" in the Neighborhood Commercial Overlay Zone. Need clarification on the differences between the two uses.

Staff's Response: The "Publishing and Printing" land use category is primarily for manufacturing companies (e.g. Wall Street Journal) and the "Business Support Services and Facilities" categories is for the local Kinko's, PIP, Staples, Office Max, and the like.

10. An office offering tutoring services should be listed as a permitted use on the "Use Regulations Table" referenced above.

Staff's Response: A tutoring office is classified as a "Specialty School" and is permitted with a Minor Conditional Use Permit.

Article VII: Specific Land Use Provisions

11. The animal keeping provision permits the keeping of a maximum of "4" domestic animals in all residential zones. How do we plan to enforce this?

12. **Staff's Response: Domestic animal keeping is limited to maximum number of 4 in all residential areas. Non domestic animals are only permitted in the RR, RA-5 and RC up the maximum number of animals allowed in our current Zoning Code. If a property owner wishes to exceed the maximum number of animals (domestic and non domestic, where permitted) a Minor Conditional Use Permit will be required. Enforcement: The burden will be on the homeowners to prove that they had more than 4 domestic animals prior to the adoption of the Zoning Code. As with other parts of the Code, this section will typically be enforced in respond to a complaint.**
13. The Task Force recommended that the provisions for Drive Thru Businesses be modified to include a requirement for a trash receptacle accessible to the driver along the drive thru lane.
Staff's Response: Staff concur and will include this recommendation in the Citywide Design Guidelines.
14. Need clarification between a billiard parlor and a bar. Recommended that our definitions be consistent with ABC's.
Staff's Response: After review, it was determined that the City's definitions are consistent with ABC's. Also billiard parlors and bars are subject to a discretionary permit and during the review process they are reviewed by the Police Department and the Alcohol Beverage Control (ABC) Agency.
15. Requested to see a map showing the parcels that qualify as candidates for adult oriented businesses.
Staff's Response: Staff anticipates the map to be ready by the first public hearing on February 17, 2005. A copy will be made available on request.
16. Half-way houses are mostly concentrated in the downtown area. Why?
Staff's Response: By law the City is very limited on how it can regulate this type of use. A sober living home is typically the type of halfway house found in the downtown. By State law, these cannot be regulated whatsoever. The City recently amended its regulations concerning parolee and homeless homes before the City Planning Commission. Parolee homes and homeless shelters with more than 2 persons require a conditional use permit. New separation requirements should help to reduce the number of these in the downtown.
17. Sections 19.370.040.E and 19.370.040.G of the Shelters Chapter need clarification. Subsection E requires homeless shelters to maintain a 5,000 foot separation from any other shelter facility and Subsection G requires homeless housing facilities to maintain a 300 foot separation from any other facility. How are they different?
Staff's Response: Homeless shelters is a type of homeless housing facility. They are required to maintain a minimum distance of 5,000 feet from other shelter facilities and a minimum distance of 300 feet from any assisted living or group housing facility.

Article VIII: Site Planning and General Development Provisions

18. Need a definition for building projections.

Staff's Response: Staff concurs and will include a graphic for clarification.